88-550

No. 88-450

Supreme Court, U.S.
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IN THE

Supreme Court of the United States

OCTOBER TERM, 1988

UNITED STATES OF AMERICA,
Petitioner,

v.

RAUL CHAVEZ-SANCHEZ,
Respondent.

MEMORANDUM OF RESPONDENT IN RESPONSE TO PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

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Attorney for Respondent

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On September 29, 1988, a petition for a writ of certiorari in the above case, which is now reported at 857 F.2d 1245, was filed by the United States. The petition pointed out that the constitutional issues presented are identical to those presented in *United States v. Mistretta* and *Mistretta v. United States*, Nos. 87-1904 and 87-7028, and asked the Court to hold the petition in this case and dispose of it in light of the disposition of *Mistretta*.

Respondent agrees that the outcome in this case will be controlled by that in *Mistretta* and concurs in the request that this case be held pending the disposition of *Mistretta*.

Respectfully submitted,

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December 1988